

Remarks

Applicants submit that the original amendment to Claims 1, 2, and 3 contained an administrative error. The deletion of the phrase “wherein one carbon atom of the aliphatic linker is optionally replaced with O, NH or S, and” was a clear error, as compounds having Z1, Z2 as N, and Z3 as C must have the potential for a non-carbon replacement in the aliphatic linker in order to embrace all of the compounds disclosed. None of the restricted groups embrace such compounds if the phrase “aliphatic linker” does not also include the possibility that one of the carbon atoms in the aliphatic linker may be replaced with a heteroatom. Applicants submit that the amendments to the claims place the claims in conformance with the elected subject matter, introduce no new matter, and provide a claim that embraces the compound of Example 136.

Applicants respectfully request entry of the amendments to the previously amended claims.

Applicants traverse the present restriction requirement. Applicants submit that the method of use claims 56-59 and 63-65, commensurate in scope with allowed product claims, are appropriately included with the product groupings. Applicants respectfully request that method of use claims 56-59 and 63-65 be rejoined when a product claim is found to be allowable. According to M.P.E.P. §821.04 and *In re Ochiai*, 71 F.3d 1565, 37 USPQ 1127 (Fed. Cir. 1995), rejoinder of product claims with process claims commensurate in scope with the allowed product claims is permitted following a finding that the product claims are allowable. Applicants have retained the claims 56-59 and 63-65 in the enclosed amended claims, in light of the traversal.

Applicants request entry of the amendments to the claims prior to any action on the merits. Applicants respectfully request prompt favorable consideration of the elected subject matter. If a telephone interview would be of assistance in advancing prosecution of the subject application, Applicants’ undersigned attorney invites the Examiner to telephone her at the number provided.

Respectfully submitted,

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